

# **TROY CITY COUNCIL**

## **AGENDA**

December 18, 2000 – 7:30 P.M.  
Council Chambers – City Hall  
500 West Big Beaver  
Troy, Michigan 48084  
(248) 524-3300

## **INVOCATION**

Pastor Don Gardner – Zion Christian Church

## **ROLL CALL**

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	(a) Key to the City & Welcome Proclamation to Mayor Wajdi Mourad, City of Aley, Lebanon	

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## **CONSENT AGENDA**

**The Consent Agenda includes items of a routine nature and will be approved with one motion. That motion will approve the recommended action for each item on the consent agenda. Any Council Member may remove an item from the Consent Agenda and have it considered as a separate item. A member of the audience who wishes to speak in opposition to the recommended action for any given Consent Agenda item may do so with the approval of a majority vote of City Council. Any item so removed from the Consent Agenda shall be considered after other items on the consent business portion of the agenda have been heard. (*Rules of Procedure for the City Council, Article 10, as amended April 12, 1999.*)**

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## **REGULAR BUSINESS**

**Persons interested in addressing City Council on items, which appear on the printed Agenda, may do so at the time the item is discussed. For those addressing City Council, time may be limited to not more than twice nor longer than five (5) minutes on any question, unless so permitted by the Chair, in accordance with the Rules of Procedure of the City Council, Article 12, as amended April 12, 1999.**

**Persons interested in addressing City Council on items, which are not on the printed Agenda, may do so under the last item of the Regular Business (F) Section.**

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### **VISITORS**

**Any person not a member of the Council may address the Council with the permission of the Mayor, after clearly stating the nature of his/her inquiry. Any such matter may be deferred to another time or referred for study and recommendation upon the request of any one Council Member except that by a majority vote of the Council Members elect, said matter may be acted upon immediately. The Mayor may require that such inquiries or comments be heard at such time as the related subject may appear on the prepared Agenda. No person not a member of the Council shall be allowed to speak more than twice or longer than five (5) minutes on any question, unless so permitted by the Chair. The Council may waive the requirements of this section by a majority of the Council Members elect. (Rules of Procedure for the City Council, Article 12, as amended April 12, 1999.**

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- (a) Letter from Universal Imaging, Inc. to Gary Shripka in Appreciation of his Assistance Enabling them Receive Approval to Use a Temporary Mobile Medical Unit.
- (b) Letter from Rita Stroh to Troy Chief of Police Commending Officer G. Wieg for His Help in Assisting Her Daughter.
- (c) Letter from City of Madison Heights Police Department to Troy Chief of Police Commending Officer C. Villerault for His Assistance During a Recent Incident in Madison Heights While Off-Duty.
- (d) Letter from City of Birmingham Police Department to Troy Chief of Police Commending Canine Officer E. Klute for His Assistance Locating a Suspect Involved in a Stolen Vehicle Incident.
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**Call to Order**

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**Invocation and Pledge of Allegiance:**

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Pastor Don Gardner – Zion Christian Church

**Roll Call:**

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Mayor Jeanne M. Stine  
Henry W. Allemon  
Martin F. Howrylak  
Thomas S. Kaszubski  
Anthony N. Pallotta  
Louise E. Schilling  
John R. Stevens

**A-1 Minutes: Regular Meeting of December 4, 2000**

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Suggested Resolution

Resolution #2000-

Moved by

Seconded by

RESOLVED, That the Minutes of the Regular Meeting of December 4, 2000 be approved.

Yes:

No:

**A-2 Presentations:**

(a) **Welcome Proclamation to Mayor Wajdi Mourad, City of Aley, Lebanon**

(b) **Proclamation to Haifa Fakhouri, Troy Resident & Michiganiaan of the Year**

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**PUBLIC HEARINGS****C-1 Proposed Alley Vacation – West of Daley, North of Big Beaver – Section 23**Suggested Resolution

Resolution #2000-

Moved by

Seconded by

WHEREAS, A request has been received for the vacation of the 20-foot wide public alley right-of-way extending west approximately 126 feet from Daley Street in the area north of Big Beaver Road and abutting Lots 1-7 of Schroeders Subdivision (Liber 47, Page 35 of Oakland County Plats); and

WHEREAS, The properties which shall benefit from this requested vacation include Lots 1-6 of Schroeders Subdivision (City of Troy Tax Parcel 20-23-354-036) and Lot 7 of Schroeders Subdivision (Tax Parcel 20-23-354-035); and

WHEREAS, City Management and the Planning Commission have recommended that this alley vacation be granted, subject to the following conditions:

1. Retention of an easement for sidewalk and other public utility purposes over the east 5 feet of the subject alley area.
2. Conveyance of a 5-foot wide easement for sidewalk and other public utility purposes across the Daley Street frontage of Lots 7 and 8 of Schroeders Subdivision.
3. Retention of an easement for public utility purposes over the subject alley right-of-way, to the extent determined to be necessary by the City Engineer.
4. Retention of an easement for private driveway access purposes to Lot 7 of Schroeders Subdivision, if such is determined to be necessary in order to accommodate the driveway area presently lying within the subject alley right-of-way.

NOW, THEREFORE, BE IT RESOLVED, That the City Council concurs in the recommendations of City Management and the Planning Commission; and

BE IT FURTHER RESOLVED, That final action on this alley vacation request shall be taken by the City Council, after the following actions:

1. Receipt of the above-noted easement conveyance from the owners of Lots 7 and 8 of Schroeders Subdivision.

2. Determination by the City Engineer of the nature and extent of easements to be retained over the subject alley right-of-way, based in part on responses from the applicable utility companies.

Yes:

No:

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**C-2 Request for Parking Variance – Kohl’s Department Store – 500 John R Road**

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Suggested Resolution

Resolution #2000-

Moved by

Seconded by

WHEREAS, Articles XLIII and XLIV (43.00.00 and 44.00.00) of the Zoning Ordinance provide that the City Council may grant variances from the off-street parking requirements of the Zoning Ordinance upon general findings that:

1. The variance would not be contrary to public interest or general purpose and intent of the Zoning Ordinance.
2. The variance does not permit the establishment of a prohibited use as a principal use within a zoning district.
3. The variance does not cause an adverse effect to properties in the immediate vicinity or zoning district.
4. The variance relates only to property described in the application for variance; and

WHEREAS, Article XLIII (43.00.00) requires that in granting, the City Council shall find that the practical difficulties justifying the variances are:

- A. That absent a variance, no reasonable use can be made of the property; or
- B. That absent a variance, a significant natural feature would be negatively affected or destroyed; or
- C. That absent a variance, public health, safety and welfare would be negatively affected; or
- D. That literal enforcement of the Zoning Ordinance precludes full enjoyment of the permitted use and makes conforming unnecessarily burdensome. In this regard, the City Council shall find that a lesser variance does not give substantial relief, and that the relief requested can be granted within the spirit of the Ordinance, and within the interests of public safety and welfare; and



WHEREAS, The City Council finds the above-stated general conditions to be present and finds the practical difficulty stated above to be operative in the appeal;

NOW, THEREFORE, BE IT RESOLVED, That the request from Professional Engineering Associates for waiver of 25 parking spaces at the development with the address of 500 John R be approved.

Yes:

No:

### **C-3 Commercial Vehicle Appeal – 5578 John R**

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#### Suggested Resolution

Resolution #2000-

Moved by

Seconded by

WHEREAS, SECTION 44.02.02 of Chapter 39, Zoning, of the Code of the City of Troy provides that actions to grant appeals to the restrictions on outdoor parking of commercial vehicles in residential districts pursuant to Section 40.66.00 of Chapter 39 of the Code of the City of Troy “shall be based upon at least one of the following findings by the City Council”:

- A) The occurrence of the subject commercial vehicle on the residential site involved is compelled by parties other than the owner or occupant of the subject residential site (e.g., employer).
- B) Efforts by the applicant have determined that there are no reasonable or feasible alternative locations for the parking of the subject commercial vehicle.
- C) A garage or accessory building on the subject residential site cannot accommodate, or cannot reasonably be constructed or modified to accommodate, the subject commercial vehicle.
- D) The location available on the residential site for the outdoor parking of the subject commercial vehicle is adequate to provide for such parking in a manner which will not negatively impact adjacent residential properties, and will not negatively impact pedestrian and vehicular movement along the frontage street(s); and

WHEREAS, The City Council of the City of Troy has found that the petitioner has demonstrated the presence of the following conditions, justifying the granting of a variance; \_\_\_\_\_; and

NOW, THEREFORE, BE IT RESOLVED, That the request from Bernice Nieman, 5578 John R for waiver of Chapter 39, Section 40.66.00, of the Code of the City of Troy, to permit outdoor parking of one step van in a residential district is hereby approved for two years.

Yes:

No:

### **TABLED ITEMS**

#### **D-1 City Council Request for Information on Changing Tax Abatement Policy**

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##### **POSTPONED RESOLUTION**

Resolution #2000-  
Moved by Schilling  
Seconded by Stevens

RESOLVED, That the City Council of the City of Troy will no longer consider tax abatements for property under Public Act 198 of 1974, The Plant Rehabilitation and Industrial Development Districts Act, eligible under Policy Resolutions amended by Resolutions #2000-26, and #2000-50 as stated in Resolution #2000-385 be rescinded.

Yes:

No:

#### **D-2 Revisions of the City Troy Criminal Code**

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##### **POSTPONED RESOLUTION**

Suggested Resolution  
Resolution #2000-  
Moved by Pallotta  
Seconded by Allemon

BE IT ORDAINED, That a new ordinance to revise the City of Troy Criminal Code, entitled Chapter 98 of the Code of the City of Troy, be hereby adopted as recommended by the City Attorney, a copy of which shall be attached to the original Minutes of the meeting.

Yes:

No:

#### **D-3 Solicitation in City Hall and the Library and Community Center**

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##### **POSTPONED RESOLUTION**

Resolution #2000-  
Moved by Pallotta  
Seconded by Kaszubski

RESOLVED, That the Policy regarding Solicitation in City Hall and the Library and Community Center be hereby adopted.

Yes:

No:

### **CONSENT AGENDA**

The Consent Agenda includes items of a routine nature and will be approved with one motion. That motion will approve the recommended action for each item on the Consent Agenda. Any Council Member may remove an item from the Consent Agenda and have it considered as a separate item. **A member of the audience who wishes to speak in opposition to the recommended action for any given consent agenda item may do so with the approval of a majority vote of City Council.** Any item so removed from the Consent Agenda shall be considered after other items on the consent portion of the agenda have been heard. *(Rules of Procedure for the City Council, Article 10, as amended April 12, 1999.)*

#### **E-1 Approval of Consent Agenda**

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Suggested Resolution

Resolution #2000-

Moved by

Seconded by

RESOLVED, That all items as presented on the Consent Agenda Are hereby approved as presented with the exception of Item(s) \_\_\_\_\_, which shall be considered after Consent Agenda (E) items, as printed.

Yes:

No:

#### **E-2 Closed Session**

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Suggested Resolution

Resolution #2000-

RESOLVED, That the City Council of the City of Troy shall meet in Closed Session as permitted by State Statute MCLA 15.268, Section (d), after adjournment of this meeting.

#### **E-3 Summer Maintenance Contract – R.C.O.C.**

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Suggested Resolution

Resolution #2000-

RESOLVED, That the Summer Maintenance Agreement between the Board of County Road Commissioners of the County of Oakland and the City of Troy, which becomes effective on April 1, 2001, with payment by the Road Commission for Oakland County to the City of Troy in the amount of \$32,651.84, is hereby approved, and the Mayor and City Clerk are authorized to execute the documents, a copy of which shall be attached to the original Minutes of this meeting.

**E-4 Commercial Vehicle Appeal – 1820 E. Wattles – Scheduled for Monday, January 22, 2001 at 7:30 in City Council Chambers**

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Suggested Resolution

Resolution #2000-

RESOLVED, That a Public Hearing is hereby established for Monday, January 22, 2001, to consider the request from Steven Pary to extend a variance to park a commercial vehicle outside in a residential district at 1820 E. Wattles, Troy, MI 48098, on Parcel #88-20-23-200-053.

**E-5 Private Agreement for Coolidge Medical Office – 1350 Coolidge – Project No. 00.945.3**

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Suggested Resolution

Resolution #2000-

RESOLVED, That the Contract for the Installation of Municipal Improvements (Private Agreement) between the City of Troy and Coolidge Medical Office Building, L.L.C., is hereby approved for the installation of water main and paving at 1350 Coolidge, and the Mayor and City Clerk are authorized to execute the documents, a copy of which shall be attached to the original Minutes of this meeting.

**E-6 Bid Waiver – Extension of the Topsoil Contract**

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Suggested Resolution

Resolution #2000-

WHEREAS, On January 22, 1996, after taking bids, a one-year contract with an option to renew for one additional year, to provide screened topsoil on an "as needed basis" for improvement and restoration projects for the Streets, Water and Parks Divisions, was awarded to the low bidder, United Soils, Inc. (Resolution #96-61); and  
WHEREAS, On March 3, 1997 the option to renew the contract with United Soils, Inc. was exercised (Resolution #97-191); and

WHEREAS, In 1998, 1999, and 2000, United Soils, Inc. again agreed to extend the contract under the same prices, terms, and conditions (Resolution #98-37-C-9a, 99-75-E-5d, and 2000-55-E-17); and

WHEREAS, United Soils, Inc. has agreed to extend 1996 prices for the 2001 season through December 31, 2001;

NOW, THEREFORE, BE IT RESOLVED, That bidding procedures are hereby waived and the contract extension is hereby approved to provide screened topsoil on an "as needed basis" for the 2001 season through December 31, 2001 at a cost of \$6.99 per cubic yard.

#### **E-7 Bid Waiver – Fire Department Participation in CLEMIS Sunpro Project**

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##### Suggested Resolution

Resolution #2000-

WHEREAS, Oakland County has approved a Fire Records Management Program funding 75% of the project; and

WHEREAS, The City of Troy Fire Department can participate in the Oakland County program at an annual cost of \$5,300 for a 5-year period and will obtain access to hardware, software, central server equipment and local support for the seven fire stations plus the ability for fire departments to share selected data for the first time; and

NOW, THEREFORE, BE IT RESOLVED, That bidding procedures are hereby waived and a 5-year contract with Oakland County for the Sunpro Records Management System is hereby approved at an annual cost of \$5,300.00.

#### **E-8 Resolution Granting Consent to the Assignment of the Cable Television Franchise**

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##### Suggested Resolution

Resolution #2000-

WHEREAS, Tribune-United Cable of Oakland County known as "AT&T Broadband" is a current cable franchisee for the Local Franchise Authorities within the Intergovernmental Cable Communications Authority; and,

WHEREAS, AT&T Broadband and Comcast Cablevision of the South, Inc. submitted an application on August 31, 2000 for Franchise Authority Consent to assignment of the cable television franchise; and,

WHEREAS, As described in the Application, AT&T Corp., the ultimate parent of AT&T Broadband, and Comcast Corporation are parties to an Asset Exchange Agreement dated as of August 11, 2000 (the "Exchange Agreement"). The Exchange Agreement provides for (i) an internal reorganization among the affiliates of AT&T Corp. resulting in the transfer of the system and the franchise to an intermediate entity (the "Intermediary") to occur just prior to the closing of the transaction contemplated by the Exchange Agreement, and (ii) the transfer of the System and the Franchise from the Intermediary to Comcast Cablevision of the South, Inc. at the closing of the transaction contemplated by the Exchange Agreement (collectively, the "Transfer").

WHEREAS, The Local Franchising Authority is relying upon such information as contained in the FCC Form 394 application and documents, and acted upon the application for franchising authority consent. The Local Franchising Authority intends to consent to the Transfer subject to the acceptance of the terms and conditions set forth herein with the hope that such consent is in the best interest of the local franchising authority.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS: 1) The Local Franchising Authority does hereby consent to the assignment of the franchise from Tribune-United Cable of Oakland County herein known as AT&T Broadband to Comcast Cablevision of the South, Inc., in the manner described in the Asset Exchange Agreement dated August 11, 2000, subject to the following conditions:

- (a) The automatic revocation of the Local Franchising Authority's approval if the Asset Exchange Agreement is not consummated by December 31, 2001, or such Agreement is terminated prior to that time without the same having been consummated; and,
- (b) The written undertaking by Comcast Cablevision of the South, Inc. that it will promptly notify the Local Franchising Authority of any material change in service or operation in the Local Franchising Authority's cable system and any change in the personnel directly responsible for the operation of the Local Franchising Authority's system as a result of the Transfer; and,
- (c) Upon or prior to the consummation of the prompt furnishing to Local Franchising Authority in writing by Comcast Cablevision of the South, Inc. of the local personnel designated to manage the Local Franchise Authority system. The name of the contact person, the telephone numbers for their governmental relations, the department, the person's supervisor, the Technical Operations Manager or equivalent and Field Technician or equivalent shall also be provided; and,
- (d) The prompt remediation of all existing defaults under the current cable franchise agreement with the Local Franchising Authority as may have been previously noticed in writing by the Local Franchising Authority; the representation in writing by Tribune-United Cable of Oakland County doing business as AT&T Broadband of existence of any known defaults or written representation by Tribune-United Cable of Oakland County doing business as AT&T Broadband that it has no knowledge of any such defaults; and,
- (e) Reimbursement within thirty (30) days after receipt by Comcast and AT&T Broadband of documentation of reimbursable expenses to the Local Franchising Authority and the Intergovernmental Cable Communications Authority ("ICCA") by any of the parties to the Asset Exchange Agreement of August 11, 2000 for the reasonable out-of-pocket expenses incurred by the Local Franchising Authority and ICCA's consideration of the assignment application; and

- (f) Comcast Cablevision of the South, Inc. will provide a statement that the transferor and the transferee will provide full and immediate cooperation with respect to the audit being conducted by the Local Franchising Authority, including, but not limited to the transmission of all necessary information to the auditors upon their request within 10 days from the auditor's request for said information; and,
  - (g) A statement is provided that the parties to the August 11, 2000 Asset Exchange Agreement will agree to place in escrow with the escrow agent acceptable to the Local Franchising Authority the necessary funds to cover the reasonable costs recoverable pursuant to said audit, and costs incurred by the LFA pursuant to said audit, in the event the audit is not concluded and the funds not paid at the time set pursuant to the applicable provisions of federal law in which the Local Franchise Authority had to act upon this application, or to make such other arrangements acceptable to the Local Franchise Authority; and,
  - (h) Comcast Cablevision of the South, Inc. provide a statement that it will commit to meet or exceed all Franchise requirements with respect to informing customers prior to crossing over their property to perform work on the cable system and that its employees or agents will be cleaning the site upon their departure and restoring the property to its prior condition; and
  - (i) The Local Franchising Authority hereby acknowledges that (i) the franchise is valid and outstanding and in full force and effect on the date hereof; and (ii) the current term of the franchise will expire on \_\_\_\_\_; and
  - (j) Comcast Cablevision of the South, Inc. shall provide a statement acknowledging that any lease, sublease or license payments to the cable television franchisee from third parties shall be subject to franchise fees to the extent required under the definition of gross revenues in the cable franchise agreement as defined by the cable regulatory ordinance, or other applicable provisions in cable franchise agreements, license agreements or cable regulatory ordinances in force.
  - (k) Comcast Cablevision of the South, Inc. is obligated to comply with all lawful requirements of the LFA relating to joint use or sharing of facilities and shall provide such documentation as Local Franchise Authority may reasonably request to document such compliance.
- 2) The Local Franchising Authority's grant of consent to the assignment to Comcast Cablevision of the South, Inc. herein provided shall be effective immediately subject to closing of the Transfer and the above conditions, and to the further requirements that Comcast Cablevision of the South, Inc. shall notify the Local Franchising Authority promptly upon the closing of the Transfer described in the Asset Exchange Agreement of August 11, 2000. The Local Franchising Authority is hereby to execute and deliver a certificate, along with such other documents that may be necessary, evidencing this Resolution without further act or Resolution of the governing body.

Suggested Resolution

Resolution #2000-

RESOLVED, That a three-year contract with an option to renew for one additional year for portable radio and alert receiver repairs and maintenance is hereby awarded to the low bidder, Digicom, Inc., at an estimated cost of \$16,250.00 annually at unit prices contained in the bid tabulation which includes pickup and delivery service and repair parts at a 10% discount off Motorola NSO list prices, opened November 16, 2000, a copy of which shall be attached to the original Minutes of this meeting, contingent upon contractor submission of properly executed bid and contract documents, including bonds, insurance certificates and all other specified requirements.

BE IT FURTHER RESOLVED, That Alternate 2 (Maintenance Contract) is hereby rejected.

**E-10 Kitchen Lease**

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Suggested Resolution

Resolution #2000-

RESOLVED, That the Kitchen Lease between the City of Troy and Emerald Food Service, Inc. is hereby approved to permit the use of the kitchen at the Troy Community Center for site cooking for the senior citizens nutrition program and the Mayor and City Clerk are authorized to execute the documents, a copy of which shall be attached to the original Minutes of this meeting.

**E-11 Request for Temporary Trailer – Target Store – 1301 Coolidge Hwy**

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Suggested Resolution

Resolution #2000-

RESOLVED, That the request from Greg Boughton of Target to place an office trailer on the site of the new Target store to be used for office space during construction of the new store, for a period not to exceed 12 months, is hereby approved at 1301 Coolidge Hwy., in accordance with Chapter 47, House Trailers and Trailer Courts, Section 6.41 (2), of the Code of the City of Troy.

**E-12 Bid Award – Fencing and Backstop Installation**

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Suggested Resolution

Resolution #2000-



RESOLVED, That a contract to provide fence repairs and backstop installations is hereby awarded to the low bidder, Michigan Fence and Supply, Inc., at an estimated total cost of \$63,639.00, contingent upon contractor submission of properly executed bid and contract documents, including bonds, insurance certificates and all other specified requirements; and

BE IT FURTHER RESOLVED, That if additional work is required that could not be foreseen, such additional work is authorized in an amount not to exceed 10% of the total project cost, in accordance with the unit prices designated on the Schedule of Values marked for identification as 1A, a copy of which shall be attached to the original Minutes of this meeting.

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**E-13 Troy v Dunkin Donuts (Rochester Road Widening Project)**

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Suggested Resolution

Resolution #2000-

RESOLVED, that the Consent Judgment between the City of Troy and Vojo Djuric and Jagoda Djuric (Dunkin' Donuts) is hereby approved and the City Attorney is authorized to execute the document, a copy of which shall be attached to the original Minutes of this meeting.

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**E-14 Troy v Reid Chiropractic Clinic**

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Suggested Resolution

Resolution #2000-

RESOLVED, that the Partial Consent Judgment between the City of Troy and Dr. Charles A. Reid dba Reid Chiropractic Clinic is hereby approved, and the City Attorney is authorized to execute the document, a copy of which shall be attached to the original Minutes of this meeting.

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**E-15 Troy v Taco Bell and Khami Brothers (Rochester Road Widening Project)**

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Suggested Resolution

Resolution #2000-

RESOLVED, that the Consent Judgment between the City of Troy and Taco Enterprises, Inc. is hereby approved and the City Attorney is authorized to execute the document, a copy of which shall be attached to the original Minutes of this meeting.

Yes:

No:

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**REGULAR BUSINESS**

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**F-1 Nominations/Appointments to Boards and Committees: (a) Advisory Committee for Persons with Disabilities; (b) Economic Development Corporation; (c) Election Commission; (d) Municipal Building Authority; and (e) Planning Commission**

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Suggested Resolution

Resolution #2000-

Moved by

Seconded by

RESOLVED, That the following persons are hereby appointed by the City Council to serve on the Boards and Committees as indicated:

**a) Advisory Committee for Persons with Disabilities**

Council Appointment

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Term Expires 11-01-2003**b) Economic Development Corporation**

Mayor with Council Approval

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Term Expires 04-30-2003

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Term Expires 04-30-2003**c) Election Commission**

Appointment by Council

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Term Expires 12-31-2001**d) Municipal Building Authority**

Mayor with Council Approval

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Term Expires 01-31-2002

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Proposed Member: Robert J. Krokosky

Name Submitted by: Councilman Pallotta

Requested appointment to be carried over to next meeting.

**e) Planning Commission**

Mayor with Council Approval

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Term Expires 12-31-2003

Yes:

No:

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**F-2 Assistant to the City Manager Position**

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Suggested Resolution

Resolution #2000-

Moved by

Seconded by

RESOLVED, That the part-time Management Intern position be removed from the Manager's Office and replaced with the full-time Assistant to the City Manager position.

Yes:

No:

**F-3 Treated Post Frame Structure at Sylvan Glen Golf Course – Change Order No. 1:  
Additional Site Work Performed**

---

Suggested Resolution

Resolution #2000-

Moved by

Seconded by

WHEREAS, On September 11, 2000, a contract was awarded to Lapeer Lumber and Truss, Inc. for the construction of a post frame structure at Sylvan Glen Golf Course, for an estimated cost of \$82,731.00 (Resolution #2000-406-E-2); and

WHEREAS, Due to unforeseen circumstances, additional excavation work was required during the course of the project;

NOW, THEREFORE, BE IT RESOLVED, That Change Order 1 to perform additional site work in the amount of \$6,255.00 is hereby confirmed which is within the 10% allowance for unforeseen circumstances, but not included on the Schedule of Values dated September 5, 2000.

Yes:

No:

**F-4 Telephone Service Contracts**

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Suggested Resolution

Resolution #2000-

Moved by

Seconded by

RESOLVED, That the City Manager is authorized to execute contracts for the City of Troy telephone service as follows:

**CARRIER****LENGTH OF  
CONTRACT****ESTIMATED COST****ISDN Prime Circuits to Main Telephone Switch:**

Ameritech	3-Year Contract	First Year:	\$20,925.76
		Second and Third Year:	\$16,925.76

**Local and Intralata Service:**

Ameritech	3-Year Contract "CompletedLink" Program	Annually:	\$97,880.00
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**Long Distance including International and Calling Cards:**

Qwest Communications International, Inc.	3-Year Contract using MiCTA National Contract Pricing	Annually:	\$9,224.00
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At unit prices contained in Appendix A, B, and C of the Council memorandum dated December 7, 2000, a copy of which shall be attached to the original Minutes of this meeting.

Yes:

No:

**F-5 Award of Contract for Schematic Design – Police/Fire Administration Addition/City Hall Renovation**

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Suggested Resolution

Resolution #2000-

Moved by

Seconded by

RESOLVED, That the contract for Schematic Design Services for the Troy City Hall Police/Fire Administration Addition, City Hall Renovation project be awarded to the firm of Redstone Associates for an amount of \$160,000.00 with an additional amount not to exceed \$10,000.00 for reimbursable expenses. The total amount of the contract is an amount not to exceed \$170,000.00.

Yes:

No:

**F-6 Approval of Community Center Site Plan**

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Suggested Resolution

Resolution #2000-

Moved by

Seconded by

RESOLVED, That the Preliminary Site Plan for site improvements which are to accompany the enhanced renovation program which will result in a new 127,000 square foot Community Center complex, on the west side of Livernois north of Big Beaver, is hereby approved, in accordance with Section 18.00.00 of the Zoning Ordinance, and in accordance with the recommendations of the City Management and the Planning Commission.

Yes:

No:

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**F-7 Bid Waiver – ID Control In-Car Video Systems**

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Suggested Resolution

Resolution #2000-

Moved by

Seconded by

WHEREAS, Cruisers of Brighton is the sole source provider of 8 mm In-Car Camera Video Systems manufactured by ID Control Company; and

WHEREAS, The Troy Police Department has budgeted funds in the 2000-01 fiscal year for in-car camera systems; and

NOW, THEREFORE, BE IT RESOLVED, That formal bidding procedures are hereby waived and a contract is hereby awarded to Cruisers of Brighton at an estimated total cost of \$214,588.00, which includes installation.

Yes:

No:

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**F-8 Request for Unconditioned Offers – Fee, Permanent Easements and Temporary Construction and Grading Permits/Easements Livernois Improvement Project – Wattles to Long Lake Project #95.201.5  
Parcel #3-E thru 11-E and 1-W thru 16-W**

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Suggested Resolution

Resolution #2000-

Moved by

Seconded by

WHEREAS, In order to proceed on schedule with the Livernois Improvement Project from Wattles to Long Lake, Project #95.201.5, it is necessary for the City to obtain the needed permanent and temporary rights to complete the project as outlined in the Memorandum of December 13, 2000, from the Real Estate and Development Department;

BE IT RESOLVED, That the Real Estate and Development Department is hereby authorized to make unconditioned offers for the needed permanent and temporary right-of-way on Parcels #3-E thru 11-E and 1-W thru 16-W in the amounts of the appraisals, which are outlined in the Department memo of December 13, 2000, a copy of which is attached and shall become part of these Minutes; plus closing costs, and

BE IT FURTHER RESOLVED, That the City Attorney is hereby authorized, if necessary, to institute condemnation litigation and to execute and deliver any and all documents and papers, and to expend necessary funds expedient for the prosecution of such proceedings or settlement of such claims on proceedings by and with the express approval of this Council.

Yes:

No:

**F-9 Request for Study Session – Adoption of the 2000 International Property Maintenance Code**

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Suggested Resolution

Resolution #2000-

Moved by

Seconded by

RESOLVED, That a Study Session to adopt the 2000 International Property Maintenance Code be scheduled at 7:30 PM on one of the following dates: January 15, 2001, January 29, 2001, February 12, 2001, or February 26, 2001

Yes:

No:

**F-10 Continuance of Evaluation/Goals & Objectives for City Manager**

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Suggested Resolution

Resolution #2000-

Moved by

Seconded by

RESOLVED, That a continuance of the Executive Session held on December 4, 2000, at 6:00 PM in Conference Room C of Troy City Hall to discuss the City Manager's Evaluation be held at 7:30 PM on one of the following dates: December 26, 2000, December 27, 2000, December 28, 2000, January 2, 2001, January 3, 2001, or January 4, 2001.

Yes:

No:

- F-11 Request for Unconditioned Offers – Full Acquisitions – Section 22,  
Proposed Park – East Side of Livernois North of Heartland  
Parcel 22-301-003 – Jameson  
Parcel 22-301-001 – DeSantis et al  
Parcel 22-301-002 – Smith et al**
- 

Suggested Resolution

Resolution #2000-

Moved by

Seconded by

WHEREAS, In order to proceed on schedule with the proposed ball fields and park in Section 22, it is necessary for the City to obtain the needed permanent property to complete the project as outlined in the memorandum of December 14, 2000, from the Real Estate and Development Department;

BE IT RESOLVED, That the Real Estate and Development Department is hereby authorized to make unconditioned offers for the needed property acquisitions on Parcels #22-301-001, 002, & 003 in the amounts of the appraisals, and

BE IT FURTHER RESOLVED, That the City Attorney is hereby authorized, if necessary, to institute condemnation litigation and to execute and deliver any and all documents and papers, and to expend necessary funds expedient for the prosecution of such proceedings or settlement of such claims on proceedings by and with the express approval of this Council.

Yes:

No:

**COUNCIL COMMENTS/REFERRALS**

**VISITORS**

Any person not a member of the Council may address the Council with the permission of the Mayor, after clearly stating the nature of his/her inquiry. Any such matter may be deferred to another time or referred for study and recommendation upon the request of any one Council Member except that by a majority vote of the Council Members elect, said matter may be acted upon immediately. The Mayor may require that such inquiries or comments be heard at such time as the related subject may appear on the prepared Agenda. No person not a member of the Council shall be allowed to speak more than twice or longer than five (5) minutes on any question, unless so permitted by the Chair. The Council may waive the requirements of this section by a majority of the Council Members elect. (*Rules of Procedure for the City Council, Article 12, as amended April 12, 1999.*)

**REPORTS AND COMMUNICATIONS**

**G-1 Proposed City of Troy Proclamations/Resolutions:**

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- (a) Proclamation to Welcome Honorable Wajdi Mrad – Mayor of Aley, Lebanon
- (b) Proclamation to Honor Haifa Fakhouri as Michiganiaan of the Year

**G-2 Minutes – Boards and Committees:**

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- (a) Brownfield Redevelopment Authority – October 19, 2000
- (b) Traffic Committee – November 15, 2000
- (c) Building Code Board of Appeals – December 6, 2000

**G-3 Department Reports:**

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- (a) Monthly Financial Report – Month Ending - November 30, 2000
- (b) Troy Medi-Go Report

**G-4 Announcement of Public Hearing:**

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**G-5 Proclamations/Resolutions Received from Other Organizations:**

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- (a) Resolution from the City of Birmingham Requesting the Installation of a Non-Motorized Safety Path as Part of the I-96/Wixom Road/Beck Road Interchange Project.
- (b) Proclamation of Thanks from Mechanical Inspectors Association of Michigan to Gary Shripka.

**G-6 Letters of Appreciation**

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- (a) Letter from Universal Imaging, Inc. to Gary Shripka in Appreciation of his assistance Enabling them Receive Approval to Use a Temporary Mobile Medical Unit.
- (b) Letter from Rita Stroh to Troy Chief of Police Commending Officer G. Wieg for his Help in Assisting Her Daughter.
- (c) Letter from City of Madison Heights Police Department to Troy Chief of Police Commending Officer C. Villerault for his Assistance During a Recent Incident in Madison Heights While Off-Duty.
- (d) Letter from City of Birmingham Police Department to Troy Chief of Police commending Canine Officer E. Klute for his Assistance Locating a Suspect Involved in a Stolen Vehicle Incident.
- (e) Letter from Walenda Green Commending the City of Troy Police Department.

**G-7 Water Quality FYI**

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**G-8 Library Rating**

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**G-9 Recommendations Re: City-Wide Walkway/Bikeway Program**

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**G-10 Liquor Compliance Testing**

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- G-11 Economic Development Update Including Major Commercial and Office Developments**

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- G-12 Intersection of Crooks and Kirts – Left Turn Phasing**

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- G-13 Suggested Joint Meeting of City Council, Historic District Commission and Historical Commission**

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- G-14 Proposal from Market Measurement, Inc. Re: Cost to Assess Troy Resident Sentiment Toward Construction of a 5000 Seat Performing Arts Theater**

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- G-15 Rep. Jack Minore’s House Bill 4693 on Unmanned Traffic Monitoring Devices - Status Report**

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Respectfully submitted,

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John Szerlag, City Manager